

REMARKS/ ARGUMENTS

The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

35 U.S.C. § 102(b) Rejections

Examiner rejected claims 1, 6, and 11 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,134,573 (hereinafter "Henry").

"To anticipate a claims, the reference must teach every element of the claim. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (Manual of Patent Examining Procedures (MPEP) ¶ 2131.)

Independent claims 1, 6, and 11 of the present application include limitations not disclosed or taught by Henry. As a result, independent claims 1, 6, and 11 are not anticipated by Henry.

In particular, applicant's independent claims, include the limitation, or a limitation similar there to, of:

during the translating, generating an expected Top of Stack (TOS) position in said stack for said first block of code; and
during the translating, adding at least one instruction to said translated first block of instructions to determine if said first expected TOS is equal to an actual TOS at a time of executing said translated first block of instructions. (emphasis added).
(Applicant's claim 1).

Henry, however, does not disclose nor suggest the limitation of generating the expected TOS during the translating. Nor does Henry disclose or suggest adding at least one instruction to said translated first block of instructions to determine if said first expected TOS is equal to an actual TOS at a time of executing said translated first block of instructions, during the translating.

Therefore, in view of applicant's independent claims including limitations that are not disclosed nor suggested by Henry, applicant's independent claims are not anticipated by Henry.

In addition, the remaining claims depend from one of the independent claims as discussed above, and therefore include similar limitations, and as a result are also not anticipated by Henry.

CONCLUSION

Applicant respectfully submits the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call John Ward at (408) 720-8300, x237.

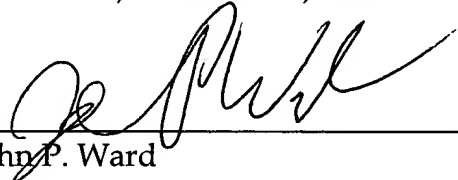
Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: _____

3/8/04



John P. Ward

Reg. No. 40,216

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300